

PATENT
Docket No. GC381-D2
SN 10/773,387

☐ Urgent
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☐ Action Required
☐ Reply Requested
☐ For Your Info.

FAX COVER SHEET

TO: Art Unit 1652
LOCATION: USPTO
Fax No.: (703) 872-9306 (Central Facsimile No.)
FROM: Aida Martinez for Kamrin T. MacKnight
LOCATION: GENENCOR INTERNATIONAL, INC.
Legal Department
925 Page Mill Road
Palo Alto, CA 94304-1013
Tel: 650-846-4068
Fax: 650-845-6504

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MAY 21 2004

DATE: May 21, 2004

NUMBER OF PAGES TO FOLLOW: 9 SENT BY: am

Re: Serial No. 10/773,387, Attorney Docket No. GC381-D2

Attachments: Transmittal (1 page) in duplicate and Amendment (7 pages).

The original of this facsimile will be sent to you via:

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I hereby certify that this correspondence is being sent by facsimile transmission in accordance with § 1.6(d) addressed to Art Unit 1652, Central Facsimile No. (703) 872-9306, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on the date shown below.

Date: May 21, 2004

By

Aida Martinez

PATENT
Docket No. GC381-D2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)

David A. Estell)

Group Art Unit: 1652

Serial No.: 10/773,387)

Examiner: D. Steadman

Filed: February 5, 2004)

For: Gram-Positive Microorganisms with
an Inactivated Cysteine Protease-3)Commissioner for Patents
Mail Stop Issue Fee
P.O. Box 1450
Alexandria VA 22313-1450TRANSMITTAL


Sir:

In response to the Notice of Non-Complaint Amendment mailed on May 13, 2004, enclosed please find the Response and Amendment.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 07-1048 (Docket No. GC381-D2). A duplicate of this paper is enclosed.

Respectfully submitted,

Date: May 21, 2004


Kamrin T. MacKnight
Registration No. 38,230Genencor International, Inc.
925 Page Mill Road
Palo Alto, CA 94304-1013
Tel: 650-846-5838
Fax: 650-845-6504

GC381-D2 Trans 5-21-04

I hereby certify that this correspondence is being sent by facsimile transmission in accordance with § 1.6(d) addressed to Art Unit 1652, Central Facsimile No. (703) 872-9306, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on the date shown below.

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AMENDMENT AND RESPONSE TO NOTICE OF
NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment and Response is filed in Response to the Notice of Non-Compliant Amendment mailed May 13, 2004. In reviewing the Notice, it came to Applicant's attention that the priority Claim of the present application is improperly indicated in the Preliminary Amendment filed February 5, 2004. Thus, Applicant has provided the correct priority claim in the present Amendment and Response. None of the amendments to the Claims is intended to narrow the scope of any of the amended Claims within the meaning of *Festo*¹. Amendments to the Specification begin on page 2. A complete listing of the Claims, showing the status of the Claims following entry of the present Supplemental Preliminary Amendment begins on page 3. The Remarks begin on page 6.

¹ *Festo Corp. v. Shoketsu Kogyo Kabushiki Co.*, No. 95-1066, 2000 WL 1753646 (Fed. Cir. Nov. 29, 2000).